

SPEECH OF MR. HILLIARD,  
OF ALABAMA,  
On the Boundary of Texas, and organizing a  
Government for New Mexico.

HOUSE OF REPRESENTATIVES, AUGUST 28, 1850.  
MR. HILLIARD said: Mr. Speaker, I feel some reluctance in addressing the House at this time, but the profound anxiety with which I regard the state of the country impels me to speak. We present the extraordinary spectacle of a people prosperous beyond example, rapidly advancing in wealth and power, at peace with every nation on the globe, sending our products and the fruits of our industry of every description under the protection of our flag to all parts of the world; our ports crowded with emigrants fleeing from the oppression of European systems of government to seek a refuge and a home under our free institutions—yet torn by internal dissensions which threaten to overthrow the Republic.

I could not survey this scene with any other feeling than that of profound apprehension, if it were not for the reflection that we hold the subject of controversy completely within our control. The whole of the subject is now in our hands. The subject so long discussed in the Senate has passed from that body; it is before us; no other human tribunal can decide it; the responsibility, with all its weight, rests upon us. We can give the country peace, or we can withhold it.

I intend, sir, at whatever hazard or sacrifice, to contribute what I can, to do my duty to my country, and to contribute what I can, consistently with my obligations, to a representative of the adjustment of the great questions which are before us. They are kindred questions; some of them may be said to be dependent on each other. They all grew out of the annexation of Texas.

The first of these questions is dignity and importance is that respecting the limits of the State of Texas. That State claims for her western boundary the Rio Grande del Norte, from its mouth to its source, and a line thence due north to the forty-second parallel of north latitude. Texas was a State of the Mexican Republic; she took up arms against that Government; she threw off its authority; she declared her independence, and established a temporary government, and she was recognized by the United States as a permanent government, and declared her limits. Was she entitled to the territory which she claimed as an independent State? Was her title to the country lying on the Rio Grande, and which Mexico claimed adversely, and in part held by actual occupancy, good as against that Republic?

This question arises upon the principle whether a State after a successful revolution is entitled to the territory embraced within its ancient boundaries; or whether it is to be confined to the limits within which it has actually established her jurisdiction by the sword.

The independence of Texas was recognized by the United States, by Great Britain, by France, and by Holland. The ancient limits of the new State stretched to the Rio Grande, from its mouth to El Paso. It at that time constituted a part of an extensive country, to all of which the name of Louisiana was applied. That province extended to the Rio Grande, and was situated upon Mr. Monroe and Mr. Pickens in 1805, in the most emphatic terms. They argued the title of the United States to that district of territory, and maintained it. The claim had the sanction of Mr. Jefferson, who was at that time President, and of Mr. Madison, who was Secretary of State. Subsequently that part of the province of Louisiana known as Texas was ceded by the United States to Spain. Mexico, by a successful revolution, drove the Spanish power from Texas, and Texas became one of the States of the new Republic.

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Mr. YINSON (Mr. H. yielding the floor to him for explanation) stated that it had been several times asserted upon this floor that the boundaries of Texas were fixed in her constitution, but that upon examination he had not been able to find them laid down in any constitution formed by that State.

Mr. HILLIARD resumed. It is not at all important, Mr. Speaker, so far as the argument is concerned, whether the boundaries of Texas were defined in her constitution or not. They were certainly defined clearly by an act of her Legislature; and this solemn declaration of the title of Texas to the whole extent of the territory bordering on the Rio Grande del Norte, from its mouth to its source, and a line thence due north to the forty-second parallel of latitude, was made known to the Government of the United States when the measure of annexation was proposed to that State. That part of the territory lying on the Upper Rio Grande was certainly held at that time by Mexico, but Texas was asserting her title to it, and taking steps to bring it under her jurisdiction.

It was our policy to avoid a war with Mexico, and as this disputed boundary line might lead to a collision between Texas and that Republic, and of course involve the United States in it, it was provided in the resolutions by which Texas was annexed to the Union that the adjustment of all questions of boundary should be entrusted to the Government of the United States. The principle of language is this: "Said State to be formed, subject to the adjustment by this Government of all questions of boundary that may arise with other Governments."

The United States Government then was made acquainted with the claim of Texas, and undertook to adjust it—not to relinquish it—not to negotiate that it might weary the duty to adjust it, which was the duty of Congress, and the duty of enforcing the claim of Texas, and of urging it upon Mexico in good faith. At that time no other construction than that was put upon the resolutions of annexation; they were clearly understood by the two contracting parties—the Government of the United States and that of Texas—by Mexico, and by all the world. It is the purpose of the Government of the United States to pursue the policy of the Government of Mexico, that Republic having withdrawn its Minister from Washington, and proposed to negotiate for the recognition of the Rio Grande del Norte as the western boundary of Texas. Mexico actually consented to receive a Commissioner to negotiate for that claim. It is the duty of the United States to send an Envoy Extraordinary and Minister Plenipotentiary to the Government of Mexico, with general powers. Mr. Sillid was selected to perform the delicate and important duties which his mission involved. He proceeded to Vera Cruz, and was urged by the friends of the Government there existing in Mexico to wait until the power was more completely consolidated before approaching the capital. He declined the counsel, inconsiderately hastened to the city of Mexico, and presented his credentials, which were rejected, on the ground that the relations between the United States and Mexico were not such as to render it proper that the ordinary diplomatic relations should be resumed between them. It was understood a special commissioner was to be accredited to the Mexican Government empowered to negotiate for the adjustment of questions growing out of the annexation of Texas.

What was the view taken at that time by our Government of the claim of Texas? It was that the boundaries of the United States were thought Mexico could dispute with Texas was that bordering on the upper part of that stream, and embraced within the limits of the Province of New Mexico; and that it undertook to secure for Texas. This will be made perfectly plain by looking into the instructions which Mr. Sillid was given by the Secretary of State. It must be borne in mind that some of our citizens had claims on Mexico, which that Republic had not found it convenient to discharge. The internal disorders from which it had suffered had impoverished it. These claims were for years pressed upon Mexico, and when Mr. Sillid was about to enter upon the task of negotiating with Mexico for the adjustment of the dispute with Texas in regard to her boundary, he was instructed by Mr. Bu-

chanan to bring them up for settlement. It was well known that Mexico was not able at that time to pay them; but it was for this precise reason that Mr. Sillid was to urge them. Mr. B. says:

"The fact is too well known to the world that the Mexican Government is not now in a condition to satisfy these claims by the payment of money. Unless the debt should be assumed by the Government of the United States, the claims cannot be satisfied. The resolution of Congress, approved 1st March, 1845, 'for annexing Texas to the United States,' prevents the means of satisfying these claims, in perfect consistency with the interests of the United States, and the Government of the United States is now in a position to adjust all questions of boundary that may arise with other Governments. This question of boundary may, therefore, be adjusted in such a manner between the two Republics as to cast the burden of the debt due to American claimants on their own Government, whilst it will do no injury to Mexico."

Mr. Buchanan proceeded to inform Mr. Sillid that the Rio Grande del Norte, from its mouth to its source, and a line thence due north to the forty-second parallel of north latitude, was to be a boundary of that Republic, and stated that the right of Texas to that boundary was not in question. His argument in support of that position is an able one. He admitted that the case in regard to New Mexico was different, and that Texas had never subjected that part of the territory to her jurisdiction. What, then, was the view taken by the Government of the United States of the title of Texas to the territory lying on the Rio Grande? Clearly, that so far as the title of Texas to El Paso was concerned, it was too strong to be questioned, and that so much of it as was north of that point was subject to adjustment with Mexico. The title of Texas to that part of the territory was to be urged, and Mr. Sillid was instructed to offer to assume the payment of all the just claims of our citizens against Mexico of both Republics. It was the line 'shall be established along the boundary defined by the act of Congress of Texas, approved December 19, 1836, to wit: beginning at the mouth of the Rio Grande; thence up the principal stream of said river to its source; thence due north to the forty-second degree of north latitude."

A debt already pronounced to be worthless was to be discharged, in consideration of a relinquishment by the party from whom it was due, of a disputed claim to territory within the declared limits of one of the United States. Mr. Sillid was instructed to offer the payment of five millions of dollars to Mexico, should she agree to transfer to the United States that part of the territory lying on the Rio Grande, which she claimed adversely, and in part held by actual occupancy, good as against that Republic.

This question arises upon the principle whether a State after a successful revolution is entitled to the territory embraced within its ancient boundaries; or whether it is to be confined to the limits within which it has actually established her jurisdiction by the sword.

The independence of Texas was recognized by the United States, by Great Britain, by France, and by Holland. The ancient limits of the new State stretched to the Rio Grande, from its mouth to El Paso. It at that time constituted a part of an extensive country, to all of which the name of Louisiana was applied. That province extended to the Rio Grande, and was situated upon Mr. Monroe and Mr. Pickens in 1805, in the most emphatic terms. They argued the title of the United States to that district of territory, and maintained it. The claim had the sanction of Mr. Jefferson, who was at that time President, and of Mr. Madison, who was Secretary of State. Subsequently that part of the province of Louisiana known as Texas was ceded by the United States to Spain. Mexico, by a successful revolution, drove the Spanish power from Texas, and Texas became one of the States of the new Republic.

By the revolution to which I have already adverted, she became an independent State, and declared her ancient boundaries, with the further claim to the territory on the Upper Rio Grande. She was proceeding to bring the whole territory claimed by her under her jurisdiction at the period of her annexation to the United States.

POPULATION OF BALTIMORE.

From the returns already made by the census-takers it is pretty well ascertained that the population of Baltimore will be found to be not less than one hundred and eighty thousand, and there is a reasonable probability that it may reach even one hundred and eighty-five thousand. At the last census the population of the city was one hundred and two thousand three hundred and thirteen. Thus, when the entire returns come to be summed up, we shall probably show an increase for the last ten years of at least eighty thousand—an increase large enough to form a city of itself.

This growth in numbers, large and extraordinary as it seems, is not the result of any special excitement giving undue acceleration to enterprise or to any particular branch of business. The progress of the city, in extent as well as in population, has been steady and quiet. No extraneous stimulus, no forced impetus, has been operative during the last ten years. On the other hand we have rather suffered from drawbacks, the temporary paralysis of the State's credit, and from a partial embargement of the city's finances at one period during that time—also from the obstruction and suspension of our great works of internal improvement—the Baltimore and Ohio Railroad particularly. Yet such have been our advantages of position—that the industry of our people—such the management of the substantial basis of our mechanical and manufacturing business—that without the aid, and even in the midst of obstacles so adverse to them, the advance of Baltimore in population and wealth has been onward and still onward, with the prospect before her of a future prosperity large and